



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

RQ-2

October 29, 2013

BRADLEY T. CRATE, TREASURER
GABRIEL GOMEZ FOR SENATE
C/O RED CURVE SOLUTIONS 138 CONANT STREET
BEVERLY, MA 01915

Response Due Date
12/03/2013

IDENTIFICATION NUMBER: C00541540

REFERENCE: 30 DAY POST-SPECIAL REPORT (06/06/2013 - 07/15/2013)

Dear Treasurer:

This letter is prompted by the Commission's preliminary review of the report referenced above. This notice requests information essential to full public disclosure of your federal election campaign finances. **An adequate response must be received at the Senate Public Records Office by the response date noted above. Failure to adequately respond by the response date noted above could result in an audit or enforcement action.** Additional information is needed for the following 4 item(s):

1. Schedule A of your report discloses one or more contributions that appear to exceed the limits set forth in the Act (see attached).

An individual or a political committee other than an authorized committee or qualified multi-candidate committee may not make a contribution(s) to a candidate for federal office in excess of \$2,600 per election. An authorized committee may not make a contribution(s) to a candidate for federal office in excess of \$2,000 per election. A qualified multi-candidate committee and all affiliated committees may not make a contribution(s) to a candidate for federal office in excess of \$5,000 per election. The term "contribution" includes any gift, subscription, loan, advance, or deposit of money or anything of value made by any person for the purpose of influencing any election for federal office. (2 U.S.C. § 441a(a) and (f); 11 CFR § 110.1(b), (e) and (k))

If any apparently excessive contribution in question was incompletely or incorrectly disclosed, you must amend your original report with the clarifying information. If any contribution you received exceeds the limits, you may have to refund the excessive amount.

Excessive contributions may be retained if, within 60 days of receipt, the excessive portions are properly redesignated or reattributed. Guidelines for

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each option are provided below.

For reattributions, excessive contributions from individuals can be retained if, within 60 days of receipt, the excessive amount is properly reattributed to another person. Please note that reattributions only apply to excessive contributions from individuals. An excessive contribution is considered properly reattributed if (1) the contributors provide the committee with written documentation, signed by each contributor, authorizing a reattribution and indicating the amount of the contribution to be attributed to each contributor; or (2) the committee reattributes by presumption the excessive portion of the contribution if the contribution was made on a written instrument from a joint account and was signed by only one of the account holders. In this case, the treasurer must notify the contributors in writing within 60 days of receiving the contribution that the committee intends to reattribute the excessive portion and must give the contributor an opportunity to request a refund. (11 CFR § 110.1(k)(3)(ii)(B))

For redesignations, the funds can be retained if, within 60 days of receipt, the excessive amount is properly redesignated for a different election. An excessive contribution is considered properly redesignated if (1) the committee obtains signed written documentation from the contributor(s) authorizing the redesignation of the contribution for another election, provided that the new designation does not exceed the limitations on contributions made with respect to that election; or (2) your committee redesignates by presumption the excessive portion of the contribution for another election provided that the new designation does not exceed the limitations on contributions made with respect to that election. In this case, the treasurer must notify the contributor of the redesignation in writing within 60 days of the treasurer's receipt of the contribution. The notification must give the contributor an opportunity to request a refund. (11 CFR § 110.1(b)(5)(ii)(B)) Please note that you cannot presumptively redesignate an excessive contribution from a multi-candidate committee. Also, a contribution can only be redesignated to a previous election to the extent that the contribution does not exceed the committee's net debts outstanding for that election. (11 CFR § 110.1(b)(3)(i))

If the foregoing conditions for reattributions or redesignations are not met within 60 days of receipt of the contribution, the excessive amount must be refunded. See 11 CFR § 103.3(b)(1).

If you have not already done so, please inform the Commission of your

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corrective action immediately in writing and provide photocopies of any refund checks and/or letters reattributing or redesignating the contributions in question. Refunds are reported on Line 20(a), (b), or (c), as applicable, of the Detailed Summary Page and on a supporting Schedule B of the report covering the period in which they are made. Redesignations and reattributions are reported as memo entries on Schedule A of the report covering the period in which the authorization for the redesignation and/or reattribution is received. (11 CFR § 104.8(d)(2), (3) and (4))

Although the Commission may take further legal action concerning the acceptance of excessive contributions, your prompt action to refund, redesignate, and/or reattribute the excessive amount will be taken into consideration.

2. Schedule A of your report discloses one or more contributions received after the general election that are designated for the general. These contributions may only be accepted to the extent that the committee has net debts outstanding from the general election. For more information on how to calculate net debts outstanding, please see page 25 of the Campaign Guide for Congressional Candidates and Committees, which is available online at <http://www.fec.gov/pdf/candgui.pdf>. (11 CFR § 110.1(b)(3)(i))

A contribution is considered made when the contributor relinquishes control over the contribution. A contributor shall be considered to have relinquished control over the contribution when it is delivered to the candidate, when it is delivered to an authorized committee of the candidate, or to an agent of an authorized committee of the candidate. A contribution that is mailed to any of the aforementioned recipients will be considered made on the date of the postmark. Envelopes should be retained for the committee's records. (11 CFR § 110.1(b)(6))

If any contribution in question was incompletely or incorrectly disclosed, you must amend your original report with the clarifying information. If a contribution was received before the applicable election by a joint fundraising representative and then transferred to your committee after the election, please ensure that you have reported the original date of receipt of the contribution by the joint fundraising representative in a memo entry supporting the transfer.

If a contribution exceeds the amount of net debts outstanding from the general election, you may have to refund or redesignate the contribution.

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The funds can be retained if, within 60 days of receipt, the excessive amount was properly redesignated for a different election. An excessive contribution is considered properly redesignated if (1) the committee obtains signed written documentation from the contributor(s) authorizing the redesignation of the contribution for another election provided that the new designation does not exceed the limitations on contributions made with respect to that election, or (2) the committee redesignates by presumption the excessive portion of the contribution for another election provided that the new designation does not exceed the limitations on contributions made with respect to that election. In this case, the treasurer must notify the contributor of the redesignation in writing within 60 days of the treasurer's receipt of the contribution. The notification must give the contributor an opportunity to request a refund. (11 CFR § 110.1(b)(5)(ii)(B))

If the foregoing conditions for redesignations are not met within 60 days of receipt, the excessive amount must be refunded. See 11 CFR § 103.3(b)(3).

If you have not already done so, please inform the Commission of your corrective action immediately in writing and provide photocopies of any refund checks and/or letters redesignating the contributions in question. Refunds are reported on Line 20(a), (b) or (c), as applicable, of the Detailed Summary Page and on a supporting Schedule B of the report covering the period in which they are made. Redesignations are reported as memo entries on Schedule A of the report covering the period in which the authorization for the redesignation is received. (11 CFR § 104.8(d)(2), (3) and (4))

Although the Commission may take further legal action concerning the acceptance of excessive contributions, your prompt action to refund or redesignate the excessive amount will be taken into consideration.

3. Your committee filed a 48-hour notice disclosing a "last minute" contribution from "George C. Alex" on "6/21/2013." This contribution does not appear on a Schedule A of this report. Please amend your report to include this contribution or provide an explanation of this apparent discrepancy. (11 CFR § 104.3(a)(4)(i))

4. Schedule B supporting Line 20(a) discloses refunds of contributions made from "Jennifer Matthesen" and "Mark Oderman." However, it appears that this contribution was not previously reported by your committee. Please amend the appropriate report(s) to disclose the original contributions or provide clarifying information. (2 U.S.C. § 434(b) and 11 CFR § 104.3(a) & (b))

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Please note, you will not receive an additional notice from the Commission on this matter. Adequate responses must be received by the Commission on or before the due date noted above to be taken into consideration in determining whether audit action will be initiated. Failure to comply with the provisions of the Act may also result in an enforcement action against the committee. Any response submitted by your committee will be placed on the public record and will be considered by the Commission prior to taking enforcement action. **Requests for extensions of time in which to respond will not be considered.**

A written response or an amendment to your original report(s) correcting the above problems should be filed with the Senate Public Records Office. Please contact the Senate Public Records Office at (202) 224-0322 for instructions on how and where to file an amendment. If you should have any questions regarding this matter or wish to verify the adequacy of your response, please contact me on our toll-free number (800) 424-9530 (at the prompt press 5 to reach the Reports Analysis Division) or my local number (202) 694-1187.

Sincerely,

A handwritten signature in black ink that reads "Laura Beaufort". The signature is written in a cursive, flowing style.

Laura Beaufort
Campaign Finance Analyst
Reports Analysis Division

Excessive, Prohibited, and Impermissible Contributions
Gabriel Gomez for Senate (C00541540)

Excessive Contributions from Individuals

Contributor Name	Date	Amount	Election
Bertucci, Claire	6/21/13	\$5,200.00	G, 2013
Boland, Christopher	6/18/13	\$5,200.00	G, 2013
Boyce, Michael R	6/10/13	\$5,200.00	G, 2013
Brennan, Seth	5/2/13	\$1,000.00	G, 2013
Brennan, Seth	5/2/13	\$1,000.00	G, 2013
Brennan, Seth	6/9/13	\$1,000.00	G, 2013
Brennan, Seth	6/12/13	\$2,000.00	G, 2013
Cox, Howard Jr	6/18/13	\$5,000.00	G, 2013
Delbridge, Kevin	6/10/13	\$5,000.00	G, 2013
Ecclestone, Diane	6/15/13	\$5,200.00	G, 2013
Ecclestone, Llwyd	6/15/13	\$5,200.00	G, 2013
Eltrich, Martin	6/9/13	\$5,200.00	G, 2013
Fanjul, Jose Jr	6/18/13	\$5,200.00	G, 2013
Fanjul, Lourdes	6/18/13	\$5,200.00	G, 2013
Geagan, Kathleen	6/16/13	\$5,200.00	G, 2013
Gimbel, Adam	5/23/13	\$2,000.00	G, 2013
Gimbel, Adam	6/19/13	\$1,000.00	G, 2013
Gomez, Julio J	5/3/13	\$5,200.00	G, 2013
Gomez, Julio J	6/5/13	\$1,500.00	G, 2013
Gomez, Julio J	6/12/13	\$1,000.00	G, 2013
Gomez, Julio J	6/14/13	-\$2,600.00	G, 2013
Grieve, Peter	4/26/13	\$2,600.00	G, 2013
Grieve, Peter	6/14/13	\$5,200.00	G, 2013
Howe, David	6/15/13	\$5,000.00	G, 2013

Excessive, Prohibited, and Impermissible Contributions
Gabriel Gomez for Senate (C00541540)

Excessive Contributions from Individuals, Continued

Contributor Name	Date	Amount	Election
Jacobson, Joanna M	6/13/13	\$5,200.00	G, 2013
Jedrey, Christopher	6/7/13	\$5,000.00	G, 2013
Jedrey, Micheline	6/7/13	\$5,000.00	G, 2013
Kohler, Mary S	6/17/13	\$5,200.00	G, 2013
Luther, Jon	6/23/13	\$5,200.00	G, 2013
Luther, Sharon	6/23/13	\$5,200.00	G, 2013
Mullaney, Donald K	6/19/13	\$5,000.00	G, 2013
Myers, Alan	6/19/13	\$5,200.00	G, 2013
Ourisman, Mary	6/19/13	\$5,000.00	G, 2013
Patterson, James A	6/18/13	\$5,000.00	G, 2013
Reynolds, Laura	6/20/13	\$5,200.00	G, 2013
Semersky, Ernie D	6/19/13	\$5,200.00	G, 2013
Severino, Kathleen	6/21/13	\$5,200.00	G, 2013
Severino, Paul	6/21/13	\$5,200.00	G, 2013
Spector, Brian	6/21/13	\$5,200.00	G, 2013
Walsh, David	5/2/13	\$1,000.00	G, 2013
Walsh, David	6/5/13	\$600.00	G, 2013
Walsh, David	6/5/13	\$1,000.00	G, 2013
Walsh, David	6/15/13	\$600.00	G, 2013
Walsh, Jade	5/2/13	\$1,000.00	G, 2013
Walsh, Jade	6/5/13	\$600.00	G, 2013
Walsh, Jade	6/5/13	\$1,000.00	G, 2013
Walsh, Jade	6/15/13	\$600.00	G, 2013